

Sarah S. Wright, State Bar No. 161112
THE WRIGHT LAW FIRM
4340 Redwood Highway, Suite F229
San Rafael, CA 94903
Telephone: (415) 472-5900
Facsimile: (415) 472-5905
Email: wright_law@sbcglobal.net

Attorney for Plaintiff and Counter-Defendant,
KEVIN JOYCE

Jeffrey W. Noe, State Bar No. 167387
KLEIN, DENATALE, GOLDNER,
COOPER, ROSENLIEB & KIMBALL, LLP
4550 California Avenue, Second Floor
Bakersfield, California 93309
P.O. Box 11172
Bakersfield, California 93389-1172
Telephone: (661) 395-1000
Facsimile: (661) 326-0418
Email: jnoe@kleinlaw.com

Attorneys for Defendant and Counterclaimant,
AMERICAN TIMBER AND STEEL CO., INC.,
sued herein and f/k/a MIDWESTERN WHOLESALERS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA –
SAN FRANCISCO/OAKLAND DIVISION

KEVIN JOYCE,

Plaintiff,

v.

MIDWESTERN WHOLESALERS, INC., an
Ohio corporation, and
DOES 1 through 50, inclusive,

Defendants.

AND RELATED COUNTERCLAIM.

Case No. C 07-5404 JCS (WDB)

**STIPULATION OF DISMISSAL
WITH PREJUDICE OF ALL
CLAIMS AND
COUNTERCLAIMS**

Complaint Filed: August 14, 2007
Trial Date: November 17, 2008

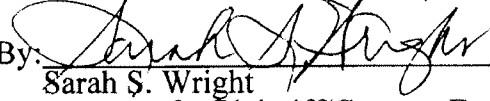
KLEIN, DENATALE, GOLDNER,
COOPER, ROSENLIEB & KIMBALL, LLP
4550 CALIFORNIA AVENUE, SECOND FLOOR
BAKERSFIELD, CALIFORNIA 93309

1 IT IS HEREBY STIPULATED by and between KEVIN JOYCE and
 2 AMERICAN TIMBER AND STEEL CO. (sued herein and f/k/a MIDWESTERN
 3 WHOLESALERS, INC.), through their designated counsel, that the above-entitled
 4 action, in its entirety (including all claims and counterclaims), be and hereby is
 5 dismissed *with prejudice* pursuant to Rule 41(a)(1) and 41(c) of the Federal Rules of
 6 Civil Procedure.

7 Each party shall bear his or its own respective costs and expenses, including
 8 attorneys' fees, incurred in connection with this action.

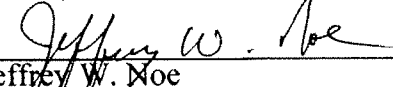
9
 10 Date: June 23, 2008

THE WRIGHT LAW FIRM

By: 
 Sarah S. Wright
 Attorney for Plaintiff/Counter-Defendant,
 KEVIN JOYCE

14 Date: June 23, 2008

KLEIN, DeNATALE, GOLDNER,
 COOPER, ROSENLIB & KIMBALL, LLP

By: 
 Jeffrey W. Noe
 Attorneys for Defendant/Counterclaimant,
 AMERICAN TIMBER AND STEEL CO.,
 INC.

KLEIN, DeNATALE, GOLDNER,
 COOPER, ROSENLIB & KIMBALL, LLP
 4550 CALIFORNIA AVENUE, SECOND FLOOR
 BAKERSFIELD, CALIFORNIA 93309